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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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KILPATRICK STOCKTON LLP			POLLACK, MELVIN H	
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WASHINGTON, DC 20005			PAPER NUMBER	

2141
DATE MAILED: 09/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/551,930

Applicant(s)

LEMONS ET AL.

Examiner

Melvin H Pollack

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-80 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-80 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: see attached office action.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-80 have been considered but are moot in view of the new ground(s) of rejection.
2. In the response to the last office action, the applicant changed the scope of the claims by adding several limitations to all independent claims. As a result, a final amendment is necessitated even if the examiner provides a new art rejection. The examiner acknowledges that no new matter has been added by this amendment. These limitations include the limitation of at least one node being a "self-service financial transaction terminal" and of a definition regarding the corrective response.
3. The examiner notes that a self-service financial transaction terminal may constitute a variety of different types of terminals, such as ATM machines, store kiosks, PCs with online banking, cell phones with online shopping capabilities, etc. Applicant has further failed to show any difficulties regarding the adding of said terminal to the Ditmer network or to any normal telecommunications network, nor are there any limitations regarding specific uses or aspects of a financial transaction terminal network.
4. The examiner also notes that the corrective response may be any of the listed commands, and that said group of corrective actions may comprise only some of the listed commands.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coutts et al. (6,311,165) in view of Ditmer et al. (6,473,407).

7. For claim 1, Coutts teaches a platform-independent method (abstract) for managing exceptions (col. 1, line 10 – col. 4, line 55; col. 35, lines 25-40) in at least one communications network (Fig. 2, #17) having a plurality of nodes (Fig. 2, #12-15) interconnected with communication lines (Fig. 2, #17), comprising:

- a. Remotely accessing (Fig. 2, #16) at least one communications network (col. 8, line 55 – col. 9, line 35) having a plurality of nodes consisting at least in part of at least one self-service financial transaction terminal interconnected with communication lines (Fig. 2, #11);
- b. Remotely monitoring said exception data (col. 3, lines 30-40),
- c. Remotely transmitting a corrective response to a destination node (col. 12, lines 15-35), wherein said corrective response is identified by a destination node command and wherein said corrective response further comprises a command issued directly to the destination node by a user for a corrective action on the destination node (Fig. 48) selected from a group of corrective actions consisting at least in part of a start command (col. 12, lines 35-40), a stop command (col. 12, lines 40-55; col. 16, lines 30-55), a reboot command (col. 12, lines 55-60), and a change current version of software command (col. 3, lines 15-25); and

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d. Remotely monitoring said destination node command associated with said destination node to determine a status of said corrective response (col. 33, line 24 – col. 34, line 50).

8. Coutts also teaches that the terminal may be PC-based and control the application flow (col. 20, lines 20-30), much like the computers described in Ditmer, as shown in the last office action. Coutts does not expressly disclose remotely storing exception data, remotely prioritizing said exception data but does disclose methods regarding message handling and queues (col. 41, line 10 – col. 46, line 7). Ditmer teaches, as shown prior, an alarm management and monitoring tool for generic data networks (col. 3, lines 20-40), in which exception data is remotely stored (Fig. 6; col. 14, lines 15-20; col. 16, lines 5-15) and prioritized (col. 17, lines 10-45). At the time the invention was made, one of ordinary skill in the art would have combined the inventions to provide the Coutts system with an advanced exception-handling system and especially to ensure that messages are handled in a proper order (col. 45, lines 35-55).

9. For claim 2, Ditmer teaches that an exceptions commands log may be remotely constructed, administered, and printed (col. 3, 45-51). Coutts does not expressly disclose the commands log, but does disclose some various logging features (col. 25, lines 10-25). At the time the invention was made, one of ordinary skill in the art would have added an exceptions command log in order to monitor the operation of the modules (Coutts, col. 11, lines 40-50)

10. For claim 3, Ditmer teaches remotely constructing a report, wherein said report is a trouble ticket associated with said exception data (col. 14, lines 5-20). Coutts teaches remote reporting (col. 25, lines 10-25) but does not expressly disclose trouble tickets. At the time the

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invention was made, one of ordinary skill in the art would have added Ditmer trouble tickets to Coutts in order to devise more efficient troubleshooting procedures (col. 3, lines 35-40).

11. For claim 4, Ditmer teaches that the trouble ticket further comprises said destination node command associated with said exception data (col. 14, lines 5-20). Coutts does not expressly disclose trouble tickets. At the time the invention was made, one of ordinary skill in the art would have added Ditmer trouble tickets to Coutts in order to devise more efficient troubleshooting procedures (col. 3, lines 35-40).

12. For claim 5, Ditmer teaches that the trouble ticket may be remotely stored, administered, and printed (col. 13, lines 25-40). Coutts does not expressly disclose trouble tickets. At the time the invention was made, one of ordinary skill in the art would have added Ditmer trouble tickets to Coutts in order to devise more efficient troubleshooting procedures (col. 3, lines 35-40).

13. For claim 6, Coutts teaches remotely administering exception data and destination node command data (col. 9, lines 55-65).

14. For claim 7, Coutts teaches that exception data further comprises identification of at least one destination node categorized by at least one of the following parameters for said destination node: node filtering, device filtering, message filtering and audible alert filtering (col. 41, lines 34-45).

15. For claims 8 and 9, Coutts teaches that said nodes further comprise a plurality of delivery system nodes (Figs. 5, 7), which the instant application defines as a type of secondary system node (App P. 2, lines 12-13).

16. For claim 10, Coutts teaches that said nodes are automated teller machines (ATMs) (col. 1, lines 20-25).

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17. For claim 11, Coutts teaches that said nodes are bank servers (col. 9, lines 10-20).
18. For claim 12, Coutts teaches that said nodes are communications servers (col. 9, lines 20-40).
19. For claim 13, Coutts teaches that said nodes are financial servers (col. 9, lines 10-20).
20. For claim 14, Coutts teaches that said communications network is a financial institution's communications network (col. 9, lines 10-20).
21. For claim 15, Coutts does not expressly disclose a help mechanism. Ditmer teaches remotely providing a help mechanism to a user (col. 16, lines 8-21). At the time the invention was made, one of ordinary skill in the art would have provided a help mechanism in order to improve usability of the system (col. 16, lines 18-21).
22. Claims 16-30 are drawn to a hardware system that implements the method drawn in claims 1-15. It is well known in the art that a system implementation is functionally equivalent to the underlying method. Therefore, since claims 1-15 are rejected, claims 16-30 are also rejected for the reasons above. A teaching that shows the functional equivalence will be included upon request.
23. For claim 31, Coutts teaches a method (abstract) for detecting, isolating, categorizing, and resolving exceptions within network nodes (col. 3, line 5 – col. 4, line 55), comprising:
 - a. Displaying a user module for viewing, selecting, inputting, and transmitting a request from a user to a network exception-based system management system (Fig. 43);
 - b. Accepting said request upon submission by said user (col. 12, lines 15-35);
 - c. Transmitting exception data associated with a destination node from said request to said exception-based system management system (col. 16, lines 33-55), wherein said

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destination node further comprises one of a plurality of self-service financial transaction terminals (Fig. 2, #11);

d. Translating said exception data into a corrective action work request (col. 35, lines 25-40); and

e. Processing said corrective action work request (col. 35, lines 25-40) wherein said corrective response is identified by a destination node command and wherein said corrective response further comprises a command issued directly to the destination node by a user for a corrective action on the destination node (Fig. 48) selected from a group of corrective actions consisting at least in part of a start command (col. 12, lines 35-40), a stop command (col. 12, lines 40-55; col. 16, lines 30-55), a reboot command (col. 12, lines 55-60), and a change current version of software command (col. 3, lines 15-25).

17. Ditmer teaches storing results from said corrective action work request (col. 21, lines 45-50); and sending said results to be displayed by said user interface (col. 21, lines 45-50). Coutts does not expressly disclose these aspects, although said changes may be monitored (Coutts; col. 11, lines 40-50). At the time the invention was made, one of ordinary skill in the art would have combined the two inventions in order to improve the monitoring and reporting aspects of Ditmer (Coutts; col. 11, lines 40-50).

24. For claim 32, Coutts teaches administering and managing said exception data associated with said destination node (col. 25, lines 13-25).

25. For claim 33, Coutts teaches administering and managing said results associated with said destination node (col. 35, lines 25-40).

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26. For claim 34, Coutts teaches that corrective action work request comprises an on-line request to monitor at least one of said destination nodes in real-time (col. 34, lines 30-45).

27. For claim 35, Ditmer teaches that corrective action work request further comprises a destination node command to initiate a corrective response to at least one of said destination nodes in real-time (col. 46, lines 40-55).

28. For claim 36, Ditmer teaches that the user interface (col. 16, lines 10-20 and 45-50) comprises at least one of the following user modules selected from a group of user modules comprising: login (col. 15, 7-9), administration (col. 16, lines 5-15), branch (col. 17, line 60 – col. 18, line 16), detail (col. 17, lines 50-60), exception (col. 18, lines 30-35), command (col. 14, line 65 – col. 15, line 5), ticket (col. 20, lines 60-67), ticket browser (col. 17, lines 35-45), and status modules (col. 18, lines 15-30). Coutts does not expressly disclose details regarding the user interface and its modules. At the time the invention was made, one of ordinary skill in the art would have used the Ditmer user interface in Coutts in order to make the system more user friendly.

29. Claims 37-44 are drawn to the limitations in claims 8-15, respectively. Therefore, since claims 8-15 are rejected, claims 37-44 are also rejected for the reasons above.

30. Claims 45-58 are drawn to a hardware system that implements the method drawn in claims 31-44, respectively. It is well known in the art that a system implementation is functionally equivalent to the underlying method. Therefore, since claims 31-44 are rejected, claims 45-58 are also rejected for the reasons above. A teaching that shows the functional equivalence will be included upon request.

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31. For claim 59, Coutts teaches a platform-independent system (abstract) for managing exceptions (col. 1, line 10 – col. 4, line 55; col. 35, lines 25-40) in at least one communications network (Fig. 2, #17) having a plurality of nodes interconnected with communication lines (Fig. 2), comprising:

- a. A network exception-based system management system coupled to at least one communications network having a plurality of nodes consisting at least in part of at least one self-service financial transaction terminal (Fig. 2); and
- b. A plurality (the plurality of clients is inherent) of client terminals (Fig. 30), coupled to said applet via said communications network (Fig. 2 and 5), for user interaction with said network exception-based system management system (col. 35, lines 25-40), wherein said corrective response is identified by a destination node command and wherein said corrective response further comprises a command issued directly to the destination node by a user for a corrective action on the destination node (Fig. 48) selected from a group of corrective actions consisting at least in part of a start command (col. 12, lines 35-40), a stop command (col. 12, lines 40-55; col. 16, lines 30-55), a reboot command (col. 12, lines 55-60), and a change current version of software command (col. 3, lines 15-25).

32. Ditmer teaches an applet that is sent with a web page to said network exception-based system management system (col. 5, line 60 – col. 6, line 5; col. 13, lines 55-65). Coutts does not expressly disclose these limitations but does teach some use of applets (col. 3, lines 20-30) and various uses of Java (col. 32, line 62 – col. 33, line 15). At the time the invention was made, one

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of ordinary skill in the art would have used applets in Coutts in order to better take advantage of Coutts' Java environment (col. 40, lines 28-65).

33. For claims 60 and 61, Coutts teaches that said communications network further comprises at least one database stored in memory on the communications network (Fig. 2, #18).

34. For claim 62, Coutts teaches that said communications network further comprises at least one database processor capable of processing data contained in said database (col. 19, lines 35-50).

35. For claim 63, Coutts teaches the method further comprises a request to said network exception-based system management system (col. 13, lines 55-65).

36. For claim 64, Coutts teaches that request is communicated to said network exception-based system management system by said user interaction (Fig. 5).

37. For claim 65, Coutts teaches that request comprises a pre-formatted user module (Fig. 10).

38. Claim 66 is drawn to the limitations in claim 36. Therefore, since claim 36 is rejected, claim 66 is also rejected for the reasons above.

39. For claim 67, Coutts teaches that the pre-formatted user module is communicated by said applet by said network exception-based system management system to one of an Internet (col. 21, line 65 – col. 22, line 10), an intranet (col. 8, lines 30-55), or an extranet (col. 24, lines 30-50; the connection of an intranet (LAN) and internet makes the existence of an extranet (WAN/MAN) inherent). Further, it is obvious that a data communications network can be an Internet, intranet or extranet, and the examiner is unaware of a data network that cannot be described with one of those labels.

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40. Claims 68 and 69 are drawn to the limitations in claims 34 and 35, respectively.

Therefore, since claims 34 and 35 are rejected, claims 68 and 69 are also rejected for the reasons above.

41. Claim 70 is drawn to the limitations in claim 59, but adds that the applet is an application, which Ditmer also teaches (col. 5, lines 30-35). Therefore, since claim 59 is rejected, claim 70 is also rejected for the reasons above.

42. Claims 71-77 are drawn to the limitations in claims 60-66. Therefore, since claims 60-66 are rejected, claims 71-77 are also rejected for the reasons above.

43. Claims 78-80 are drawn to the limitations in claims 67-69. Therefore, since claims 67-69 are rejected, claims 78-80 are also rejected for the reasons above.

Conclusion

44. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

45. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin H Pollack whose telephone number is (703) 305-4641.

The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MHP
14 September 2004



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SUPERVISORY PATENT EXAMINER